

PUBLIC NOTICE

PERMIT APPLICATION: NRS 07.198

APPLICANT: Kenneth Bishop
161 Clemmer Ferry Road
Benton, Tenn. 37307
423-338-2090

LOCATION: Unnamed tributary to South Chestuee Creek, Highway 411 near Benton
Polk County 35.1545 °N, -84.7086 °W

WATERSHED DESCRIPTION: The unnamed tributary to South Chestuee is in the Hiwassee watershed (HUC 06020002) and has not been assessed by the division for its support of classified uses. Its designated uses of fish and aquatic life, irrigation, livestock watering and wildlife, and recreation. The stream has an average width of 1 - 2 feet wide and a substrate of bedrock, mud and shale fragments. A high-gradient stream habitat assessment yielded a score of 124. The stream has indicators of perennial flow and has a forested riparian zone. The tributary was determined to be Tier I during a July 2007 assessment.

Color photos of the stream proposed for alteration can be viewed on the Internet version of this notice at <http://www.state.tn.us/environment/wpc/ppo/arap>.

PROJECT DESCRIPTION: The applicant proposes to impound 316 linear feet of the tributary for a pond. The stated purpose of the pond is for livestock watering.

The proposed dam would be 14 feet. The pond outlet would be a pipe spillway with a hooded inlet. The fill for the dam would be excavated within the dam site and impoundment zone. Approximately ½ acre will be cleared for the dam construction. There is proposed a gravity fed cattle watering tank to exclude any livestock from the impoundment.

In accordance with the Tennessee Antidegradation Statement (Rule 1200-4-3-.06), the division has determined that the proposed activity may result in degradation to water quality.

USGS TOPOGRAPHIC QUADRANGLE: Benton 126 NW

PERMIT COORDINATOR: Juliana W. Kyzar

No decision has been made whether to issue or deny this permit. The purpose of this notice is to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. Persons wishing to comment on the proposal are invited to submit written comments to the department. Written comments must be received within **thirty days of the date that this notice is posted**. Comments will become part of the record and will be considered in the final decision. The applicant's name and permit number should be referenced.

Interested persons may also request in writing that the department hold a public hearing on this application. The request must be filed within the comment period, indicate the interest of the person requesting it, the reasons that the hearing is warranted, and the water quality issues being raised. When there is sufficient public interest in water quality issues, the department will hold a public hearing.

The permit application, supporting documentation including detailed plans and maps, and related comments are available at the department's address for review and/or copying. The department's address is:

Tennessee Department of Environment & Conservation
Division of Water Pollution Control, Natural Resources Section

7th Floor L & C Annex
401 Church Street
Nashville, TN 37243

In deciding whether to issue or deny a permit, the department will consider all comments on record and the requirements of applicable federal and state laws.



Photo 1: Photo of stream on 5/9/07 taken by ChEFO



Photo 2: Looking upstream from TDEC sampling site 7/31/07



Photo 3: Looking downstream from TDEC sampling site 7/31/07



Photo 4: Provided by applicant taken in May 2006

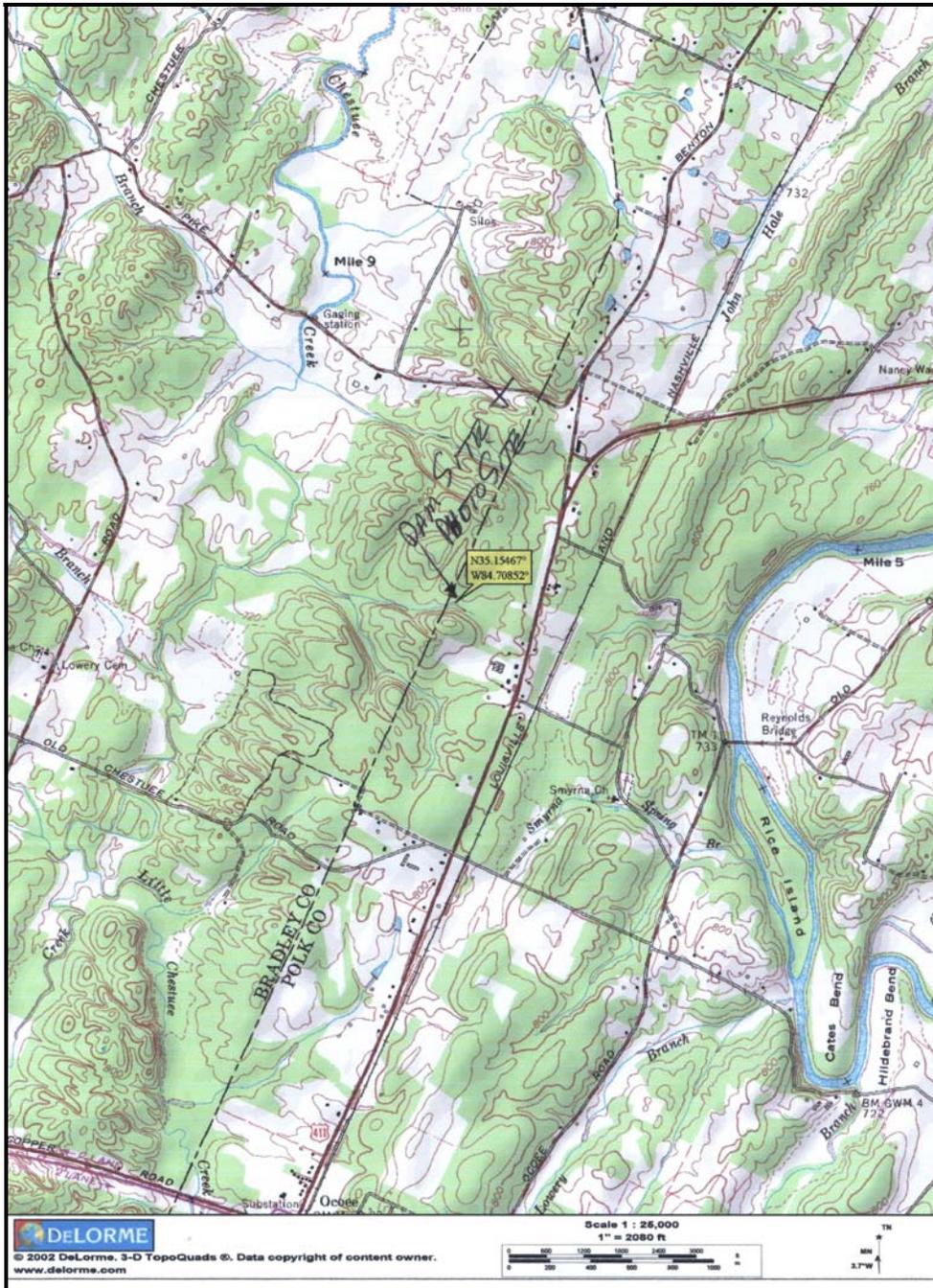


Figure 1: USGS topographic map with project area indicated

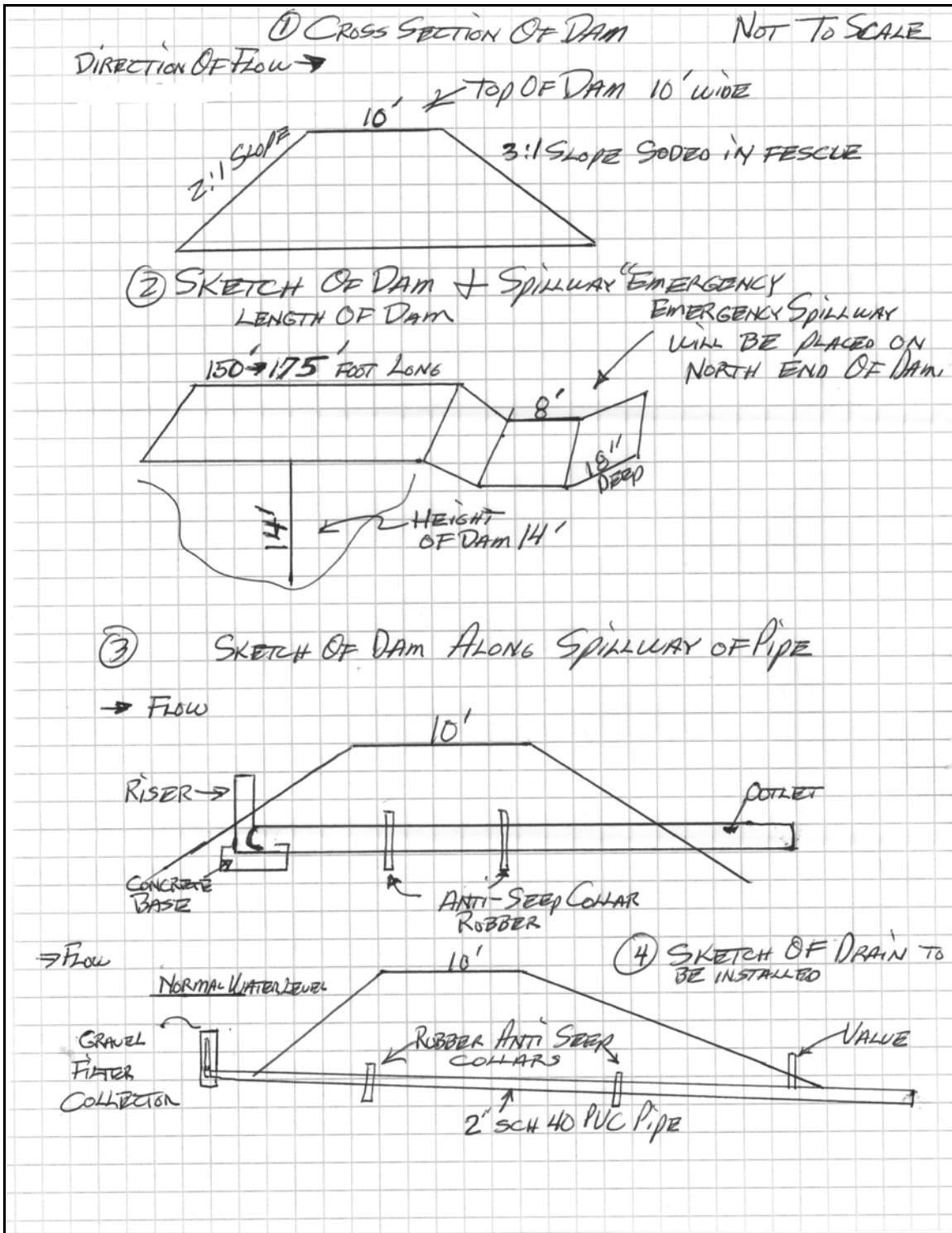


Figure 2: Proposed dam design